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16 *Interim Lead Class Counsel for Direct Purchaser Plaintiffs*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE CAPACITORS ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO: ALL
ACTIONS

**DECLARATION OF JOSEPH R. SAVERI
IN SUPPORT OF DIRECT PURCHASER
PLAINTIFFS AND INDIRECT
PURCHASER PLAINTIFFS' JOINT
ADMINISTRATIVE MOTION**

1 I, Joseph R. Saveri, declare

2 1. I am an attorney licensed in the State of California and admitted to practice in the
3 Northern District of California. I am the founder of the Joseph Saveri Law Firm, Inc. ("JSLF"). I serve
4 as Interim Lead Class Counsel for the Direct Purchaser Plaintiffs in this action. I have personal
5 knowledge of the facts set forth herein and, if called as a witness, could and would testify competently
6 to them.

7 2. This declaration is made in support of the letter brief filed on March 5, 2015 by Direct
8 Purchaser Plaintiffs and Indirect Purchaser Plaintiffs (together "Plaintiffs") concerning Plaintiffs'
9 request to compel Nippon Chemi-Con Corporation ("NCC") to produce information in response to
10 certain jurisdictional discovery requests ("Letter Brief").

11 3. Plaintiffs seek to file under seal portions of the Letter Brief and Exhibit A thereto
12 identified in Exhibit 1 to this Declaration. The bases for sealing are as follows:

13 a. Certain portions of the documents at issue contain information previously
14 designated as confidential under a confidentiality agreement, along with requests for sealing by both the
15 defendant party that designated the material as confidential and by the U.S. Department of Justice.
16 Excerpts of this information are part of Exhibit A to the letter brief, and appear at pages 2 and 3 of the
17 letter brief.

18 b. NCC designated page two of their Objections and Responses to Plaintiffs' Second
19 Set of Interrogatories Regarding Jurisdictional Issues as "Confidential" under the Protective Order.
20 Excerpts of this information are part of Exhibit A to the letter brief, and appear at Page 3 of the letter
21 brief.

22 4. Pursuant to Civ. L.R. 79-5(e), Plaintiffs identify all of the portions of the letter brief and
23 Exhibit A thereto identified in Exhibit 1 as the portions of the documents containing the designated
24 confidential material, which was provided to Plaintiffs by the antitrust leniency applicant (the identity
25 of which has also been designated confidential) under the Antitrust Criminal Penalty Enhancement and
26 Reform Act of 2004, Pub. L. No. 108-237, § 213(a)-(b), 118 Stat. 665, 66-67 (2004) and the U.S.
27 Department of Justice as the parties that have designated the material as confidential.

28 5. With respect to each section so identified, Plaintiffs take no position on whether the

1 material is “privileged, protectable as a trade secret or otherwise entitled to protection under law”
2 pursuant to Civ. L.R. 79-5 or on whether the strong presumption of access to judicial records may be
3 rebutted under the good cause or compelling reasons standards.

4 6. Plaintiffs take no position on whether the Administrative Motion should be granted.

5 I declare under penalty of perjury under the laws of the United States and the State of California
6 that the foregoing is true and correct and to the best of my knowledge and that this declaration was
7 executed in San Francisco, California on March 5, 2015.

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9 By: */s/ Joseph R. Saveri*
10 Joseph R. Saveri

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EXHIBIT 1

Plaintiffs' Letter Brief re Discovery Issues with NCC Related to Cartel Meetings

Redacted Section	Basis for Sealing
Portions of Page 2 of letter brief	Saveri Decl., ¶ 3(a)
Portions of Page 3 of the letter brief	Saveri Decl., ¶ 3(a)
Portions of Page 3 of the letter brief	Saveri Decl., ¶ 3(b)
Exhibit A, attaching Exhibit 1 to Plaintiffs' Second Set of Requests for Production of Documents and Things Regarding Jurisdictional Issues Directed to Defendant Nippon Chemi-Con Corporation.	Saveri Decl., ¶ 3(a)